



General Assembly

January Session, 2007

**Committee Bill No. 5109**

LCO No. 4127

\*04127HB05109KID\*

Referred to Committee on Select Committee on Children

Introduced by:  
(KID)

**AN ACT CONCERNING THE DETENTION OF TRUANTS.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 46b-149a of the general statutes is repealed and  
2 the following is substituted in lieu thereof (*Effective October 1, 2008*):

3 (a) Any police officer who receives a report from the parent or  
4 guardian of a child that such child is a member of a family with service  
5 needs, as defined in section 46b-120, shall promptly attempt to locate  
6 the child. If the officer locates such child, or any child he believes has  
7 run away from his parent or guardian's home without permission, or  
8 any nondelinquent juvenile runaway from another state, he shall  
9 report the location of the child to the parent or guardian, and may  
10 respond in one of the following ways: (1) He may transport the child to  
11 the home of the child's parent or guardian or any other person; (2) he  
12 may refer the child to the superior court for juvenile matters in the  
13 district where the child is located; or (3) [he may hold the child in  
14 protective custody for a maximum period of twelve hours until the  
15 officer can determine a more suitable disposition of the matter,  
16 provided (A) the child is not held in any locked room or cell and (B)  
17 the officer may release the child at any time without taking further

18 action; or (4)] he may transport or refer a child to any public or private  
19 agency serving children, with or without the agreement of the child. If  
20 a child is transported or referred to an agency pursuant to this section,  
21 such agency may provide services to the child unless or until the  
22 child's parent or guardian at any time refuses to agree to those  
23 services. Such agency shall be immune from any liability, civil or  
24 criminal, which might otherwise be incurred or imposed; provided  
25 such services are provided in good faith and in a nonnegligent  
26 manner.

27 (b) Any police officer acting in accordance with the provisions of  
28 this section shall be deemed to be acting in the course of his official  
29 duties.

30 Sec. 2. Section 46b-150g of the general statutes is repealed and the  
31 following is substituted in lieu thereof (*Effective October 1, 2009*):

32 (a) Any police officer who receives a report from the parent or  
33 guardian of a youth in crisis, as defined in subparagraph (A) of  
34 subdivision (3) of section 46b-120, shall attempt to locate the youth in  
35 crisis. If the officer locates such youth in crisis, such officer shall report  
36 the location of the youth to the parent or guardian in accordance with  
37 the provisions of federal and state law after such officer determines  
38 that such report does not place the youth in any physical or emotional  
39 harm. In addition, the police officer shall respond in one of the  
40 following ways: (1) Transport the youth in crisis to the home of the  
41 child's parent or guardian or a suitable and worthy adult; (2) refer the  
42 youth in crisis to the probate court in the district where the youth in  
43 crisis is located, provided the probate judge for such probate court is  
44 willing to accept the referral; (3) [hold the youth in crisis in protective  
45 custody for a maximum period of twelve hours until the officer can  
46 determine a more suitable disposition of the matter, provided (A) the  
47 youth in crisis is not held in any cell designed or used for adults, and  
48 (B) the officer may release the youth in crisis to the parent or guardian  
49 of the youth if the officer determines that returning the youth does not

50 place the youth in any physical or emotional harm; (4)] transport or  
 51 refer a youth in crisis to any public or private agency serving children,  
 52 with or without the agreement of the youth in crisis; [(5)] (4) refer the  
 53 youth in crisis to a youth service bureau, provided one exists in the  
 54 local community; or [(6)] (5) if the police officer is unable to transport  
 55 [.] or refer [or hold] the youth in crisis pursuant to subdivisions (1) to  
 56 [(5)] (4), inclusive, of this subsection, refer the youth in crisis to the  
 57 superior court for juvenile matters in the district where the youth in  
 58 crisis is located. If a youth in crisis is transported or referred to an  
 59 agency pursuant to this section, such agency shall provide temporary  
 60 services to the youth in crisis unless or until the parent or guardian of  
 61 the youth in crisis at any time refuses to agree to those services.

62 (b) Any police officer acting in accordance with the provisions of  
 63 this section shall be deemed to be acting in the course of the police  
 64 officer's official duties.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2008	46b-149a
Sec. 2	October 1, 2009	46b-150g

***Statement of Purpose:***

To repeal the provisions that authorize police to hold truants in protective custody.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*

Co-Sponsors: REP. WITKOS, 17th Dist.

H.B. 5109